

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

In the Matter of:) Case No.:
)
DANIEL WAYNE COTTRILL and) B-11-10604
KAREN KRISTINE COTTRILL,)
Debtors.)

MOTION TO RE-OPEN CASE

NOW COME the Debtors, by and through their undersigned attorney, and move the Court for an Order to re-open this case. In support of this motion, the Debtors show unto the Court the following:

1. The Debtors filed this Chapter 13 petition on April 04, 2011. The plan was confirmed on August 18, 2011.
2. The Debtors completed their plan and said case was closed; a Final Decree was entered herein on September 29, 2016, discharging Anita Jo Kinlaw Troxler, Standing Trustee, of her duties.
3. The male Debtor had hip replacement surgery back in October, 2006, several years prior to their filing date.
4. Prior to the closing of their case, the male Debtor was made aware of a class action lawsuit involving the defective manufacturing of a specific hip implant, the kind used during his surgery back in 2006.
5. The male Debtor has now been informed that he is entitled to participate in the settlement of said class action lawsuit and has qualified to receive an award.
6. The Debtors wish to have their case re-opened in order to amend Schedule B of their petition by adding said award as an asset and further amend the male Debtor's exemptions by claiming such award totally exempt as compensation for a personal injury.
7. The re-opening of said case will not cause a detriment to any party in this Chapter 13 case and will, in fact, be a detriment to the Debtors if said case is not re-opened.

WHEREFORE, the Debtors respectfully request that an Order be entered authorizing the re-opening of said case in order to allow the Debtors to amend certain schedules as set out herein.

This the 11th day of June, 2018.

DANIEL L HAWKINS, P.A.

By: /s/Daniel L. Hawkins
Daniel L. Hawkins, # 10358
Attorney for Debtors
P. O. Box 1379
Graham, North Carolina 27253
(336) 226-1008

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date this Motion to Re-Open Case was served upon the following parties by depositing a copy thereof enclosed in a postpaid, properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service or via the appropriate electronic servicer:

Anita Jo Kinlaw Troxler
Chapter 13 Trustee
Post Office Box 1720
Greensboro, North Carolina 27402-1720

US Bankruptcy Administrator
Middle District of North Carolina
101 S. Edgeworth Street
Greensboro, NC 27401

This the 11th day of June, 2018.

DANIEL L. HAWKINS, P.A.

By: /s/Daniel L. Hawkins
Daniel L. Hawkins, # 10358
Attorney for Debtors